UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24868
30 November 1992

ORIGINAL: ENGLISH

LETTER DATED 29 NOVEMBER 1992 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my letter to you of 24 November 1992 (S/24859), in which I conveyed to the Security Council a report on the deteriorating situation in Somalia, with particular reference to the factors that were preventing the United Nations Operation in Somalia (UNOSOM) from implementing the mandate entrusted to it by the Security Council.

I referred especially to the present lack of a government in Somalia, to the failure of various factions to cooperate with UNOSOM, to the extortion, blackmail and robbery to which the international relief effort is subjected and to repeated attacks on the personnel and equipment of the United Nations and other relief agencies.

In the last paragraph of my letter I stated that I was giving urgent consideration to this problem and that I did not exclude the possibility that it might become necessary to review the basic premises and principles of the United Nations effort in Somalia.

The members of the Security Council discussed my letter during informal consultations on 25 November 1992. They expressed the view that the situation that I had described was intolerable. They doubted whether the methods employed by the United Nations to date would be capable of bringing that situation under control. Strong support was expressed for my view that the time had come when it was necessary to move into Chapter VII of the Charter of the United Nations. The members of the Council therefore welcomed my reference to a re-examination of basic premises and principles and they asked me to come forward with specific recommendations on how the United Nations could remedy the present situation.

In the present letter I have set out five options for the Security Council's consideration. They are all addressed to the immediate humanitarian issue, namely the question of how to create conditions for the uninterrupted delivery of relief supplies to the starving people of Somalia. It is necessary to bear in mind, however, that this is only part, albeit the most urgent part, of the problem in Somalia and that efforts are also required to

create the political conditions in which Somalia can begin to resolve its political problems and rehabilitate its economy. This is an integral part of UNOSOM's mandate and it is important that further measures to protect humanitarian relief supplies should be accompanied by continuing efforts to promote national reconciliation. In my letter of 24 November I expressed the hope that the technical meeting that is to be held in Addis Ababa from 3 to 5 December 1992 would not only discuss humanitarian matters but also try to initiate the process of rebuilding a civil society.

The first option would be to continue and intensify my efforts of recent months to deploy UNOSOM in the strength of approximately 4,200 troops authorized by resolution 775 (1992) of 28 August 1992 and the letter of 8 September 1992 from the President of the Security Council addressed to me (S/24532). Under this option UNOSOM would continue to be guided by the existing principles and practices of United Nations peace-keeping operations. This means that it would not deploy without the agreement of the de facto authorities at each location where it was to operate and that it would not use force except in self-defence, though self-defence would, as at present, be deemed to include situations in which armed persons attempted by force to prevent it from carrying out its mandate.

However, the conclusion that emerged clearly from my letter of 24 November 1992 and from the Security Council's discussion of it the following day is that the situation in Somalia has deteriorated beyond the point at which it is susceptible to the peace-keeping treatment. Several of the de facto authorities, including especially General Aidid, have refused to agree to the deployment of United Nations troops in areas where the need for humanitarian relief is most acute. Even when they have agreed, their subsequent cooperation with UNOSOM has been at best spasmodic and, by their own admission, they do not exercise effective authority over all the armed elements in the areas which they claim to control. In Mogadishu, for instance, neither Mr. Ali Mahdi nor General Aidid will admit responsibility for the forces that have shelled and rocketed the Pakistani battalion and shelled a World Food Programme ship in recent days. The reality is that there are at present very few authorities in Somalia with whom a peace-keeping force can safely negotiate an agreed basis for its operations.

I am accordingly confirmed in the view that to continue to pursue UNOSOM's existing course would not in present circumstances be an adequate response to the humanitarian crisis in Somalia.

A second option would be to abandon the idea of using international military personnel to protect humanitarian activities, withdraw the military elements of UNOSOM and leave the humanitarian agencies to negotiate the best arrangements they can with the various faction and clan leaders. When I first proposed, in my report of 21 April 1992 (S/23829), that the United Nations deploy "security personnel" to Somalia, some humanitarian agencies expressed the view that the injection of United Nations military personnel into an already complex situation would increase the dangers they faced. Other agencies, however, have pressed for a greater and more effective United Nations military presence.

The experience of recent months has been that, without international military protection, the agencies have felt obliged to pay what is in effect protection money to the various factions, clans and sub-clans. If the international community were to allow this to continue, it would be committing itself to an endless process in which less and less of the aid it provided would reach vulnerable groups and in which lawless trading in that aid would become, even more than at present, the foundation of Somalia's economy. Such an outcome would encourage further fragmentation and destroy hopes of national reconciliation.

While acknowledging that the expectations that I had of UNOSOM have not been fulfilled, I am more than ever convinced of the need for international military personnel to be deployed in Somalia. The current difficulties are due not to their presence but to the fact that not enough of them are there and that they do not have the right mandate. I therefore exclude the option of withdrawal.

The above considerations have led me to the conclusion that the Security Council now has no alternative but to decide to adopt more forceful measures to secure the humanitarian operations in Somalia. In the remainder of this letter, therefore, I have set out, for the Security Council's appraisal and eventual decision, three alternative options, all of which involve the possible use of force by the United Nations or by Member States so authorized by the Security Council.

At present no government exists in Somalia that could request and allow such use of force. It would therefore be necessary for the Security Council to make a determination under Article 39 of the Charter that a threat to the peace exists, as a result of the repercussions of the Somali conflict on the entire region, and to decide what measures should be taken to maintain international peace and security. The Council would also have to determine that non-military measures as referred to in Chapter VII were not capable of giving effect to the Council's decisions.

The purpose of each of the three options involving the possible use of force would be to ensure, on a lasting basis, that the current violence against the international relief effort was brought to an end. To achieve this, it would be necessary for at least the heavy weapons of the organized factions to be neutralized and brought under international control and for the irregular forces and gangs to be disarmed. It is to be noted that this action would help de facto to bring about a cease-fire between the warring factions and that this would be a positive factor in the context of national reconciliation.

I should at this point like to make another observation which is common to all three of these options. It relates to the security of the 400 or so international civilian personnel (in UNOSOM and international agencies and non-governmental organizations engaged in relief work) and the 550 military personnel of UNOSOM who are already in Somalia. Their security is already threatened as a result of recent public speculation about military

intervention. It is imperative that plans for a more forceful approach should include adequate arrangements to ensure their security.

The third option would be for UNOSOM to undertake a show of force in the city of Mogadishu, in order to create conditions there for the safe delivery of humanitarian relief and to deter factions and other armed groups there and elsewhere in Somalia from withholding cooperation from UNOSOM. It would be based on the belief held by some, but by no means all, experts on Somalia that a determined show, and if necessary use, of force by UNOSOM would be enough to convince those who are currently abusing and exploiting the international relief effort that they should cease their lawless activities.

After my Military Adviser visited Somalia recently I asked him to define various scenarios for more forceful action by UNOSOM. In the context of a possible show of force in Mogadishu he advised me that the arms at the disposal of the various factions and armed groups are not negligible:

> "The troops in the city number several thousand when counting all the clans, sub-clans and free-roaming bandits. In Mogadishu South alone, there are approximately 150 'technical' vehicles. Each vehicle carries a heavy machine gun or 106 mm RR anti-tank gun. In each of these vehicles there are 8 to 12 soldiers armed mainly with AK 47s, G3 rifles and anti-armour RPG-7. The local forces have no uniforms and no communication. Vehicles are of different types, colours, patterns and shapes. The state of training of these troops is unknown but almost all would have had some kind of combat experience and they know how to operate all their weapons. The condition of their weapons is surprisingly good; ammunition is old but plentiful and still operational. In addition, they have several operational armoured wheeled vehicles with cannons of 20 mm and dump trucks with twin 30 mm AA guns. It must be assumed that the equivalent military force exists in Mogadishu North. Both sides have indirect fire capabilities (mortars, field guns and free flight rockets)."

If the Security Council decided in favour of this third option, it would wish to satisfy itself that a show of force in Mogadishu would succeed in creating conditions throughout Somalia for the secure delivery of relief supplies. Starvation can be ended only if the relief agencies can use all the ports and airports in the country and if they have unimpeded access to all places where need exists. There may be reasons to doubt whether a successful operation in Mogadishu would be sufficient to persuade the factions and armed groups elsewhere to mend their ways and give up the substantial material benefits which they gain from their current abuse of the international relief effort. I am therefore inclined to think that if action is to be effective, a country-wide operation may be required. This would be a major military undertaking and would give rise to many difficult questions, especially as regards organization, command and control.

One possibility - and this is the fourth option - would be a country-wide enforcement operation undertaken by a group of Member States authorized to do so by the Security Council.

In this connection, I wish to inform the members of the Council that on 25 November 1992 I received a visit from Mr. Lawrence Eagleburger, the Acting Secretary of State of the United States of America, who informed me that if the Security Council were to decide to authorize Member States to use forceful means to ensure the delivery of relief supplies to the people of Somalia, the United States would be ready to take the lead in organizing and commanding such an operation, in which a number of other Member States would also participate.

If the members of the Security Council were to favour this option, my advice would be that the Council should seek to agree with the Member States who would undertake the operation on ways of recognizing the fact that it had been authorized by the Security Council and that the Security Council therefore had a legitimate interest in the manner in which it was carried out.

Various possibilities could be considered. The enabling resolution could underline that the military operation was being authorized in support of the wider mandate entrusted to the Secretary-General to provide humanitarian relief and promote national reconciliation and reconstruction in Somalia. The initial authorization could be for a specific period of time and the Member States concerned could be asked to furnish the Security Council with regular reports, on the basis of which the Council would, at specified intervals, review the authority it had given for the operation to take place. It could also be stated in the enabling resolution that the purpose of the operation was to resolve the immediate security problem and that it would be replaced by a United Nations peace-keeping operation, organized on conventional lines, as soon as the irregular groups had been disarmed and the heavy weapons of the organized factions brought under international control. The resolution could also stipulate that the operation would be conducted with full respect for the applicable rules of humanitarian law. The Security Council, or the Secretary-General on its behalf, could attach a small liaison staff to the field headquarters of the operation. The Council could appoint an ad hoc Commission of some of its members, which would visit the operation in the field from time to time. If the members of the Security Council decide in favour of this fourth option, they may wish to give thought to these ideas.

A fifth option, which would be consistent with the recent expansion of the Organization's role in the maintenance of international peace and security and which would strengthen its long-term evolution as an effective system of collective security, would be for a country-wide enforcement operation to be carried out under United Nations command and control. This could be exercised by the Secretary-General, mandated by the Security Council in an arrangement similar to that followed in the Organization's peace-keeping operations, or by some other arrangement which the Security Council might decide upon. The Secretariat, already overstretched in managing greatly enlarged peace-keeping commitments, does not at present have the capability to command and control an enforcement operation of the size and urgency required by the present crisis in Somalia. It would therefore be necessary for the Member States contributing troops for such an operation to provide personnel not only for the headquarters in the field but also in New York, where considerable

additional staff would be required. Those Member States would also have to be ready to accept that the United Nations would command and control the operation and that the staff officers whom they would provide in the field and in New York would take their orders from the United Nations and not from their national authorities.

These are points which some Member States might find difficult to accept when many lives and much valuable equipment could be at stake. Those who found it impossible to accept them could still support the operation by providing logistic support under national command and control. But the Security Council would have to satisfy itself that enough troops would be available on this basis for an operation on the scale required in Somalia.

To sum up, I recommend that the Security Council take a very early decision to adjust its approach to the crisis in Somalia. That crisis results from the fact that Somalia has become a country without a government or other political authorities with whom the basis for humanitarian activities can be negotiated. The focus of the Council's immediate action should be to create conditions in which relief supplies can be delivered to those in need. Experience has shown that this cannot be achieved by a United Nations operation based on the accepted principles of peace-keeping. There is now no alternative but to resort to Chapter VII of the Charter. In parallel, there must also be action to promote national reconciliation and thus remove the main factors that have created the humanitarian emergency. If forceful action is taken, it should preferably be under United Nations command and control. If this is not feasible, an alternative would be an operation undertaken by Member States acting with the authorization of the Security Council. In either case the objectives of the operation should be precisely defined and limited in time, in order to prepare the way for a return to peace-keeping and post-conflict peace building.

I should be grateful, Mr. President, if you would bring the contents of this letter to the attention of the members of the Security Council. For my part, I intend, in accordance with resolution 733 (1992) of 23 January 1992 and subsequent resolutions of the Security Council, to convey to the heads of the Organization of African Unity, the League of Arab States and the Organization of the Islamic Conference my assessment of the present situation in Somalia.

(Signed) Boutros BOUTROS-GHALI